

2.

The foregoing action is properly removable to this Court pursuant to 28 U.S.C. §1441(a), 28 U.S.C. §§ 1446 (a) and (b), and in accordance with 28 U.S.C. § 1332(a)(2), diversity of citizenship, where jurisdiction arises where the action is between citizens of different states. Plaintiff's Complaint does not specify an amount of damages claimed, but seeks actual damages for personal injury for alleged "serious injuries," as well as punitive damages and damages under the Tennessee Adult Protection Act, which Defendant believes would be well in excess of the \$75,000 jurisdictional requirement.

3.

Now within thirty days after the receipt by the Defendants of a copy of the initial pleading setting forth the claim upon which the Plaintiff's action is based, notice is hereby given, in accordance with 28 U.S.C. § 1446 and pursuant to Rule 81 of the Federal Rules of Civil Procedure, of the removal of so said action to this Court.

4.

A copy of the Notice of Removal filed with State Court is attached hereto as Exhibit "B."

Respectfully submitted,

HALL BOOTH SMITH, P.C.

/s/ Charles E. Moody
James E. Looper, Jr., BPR #25200
Charles E. Moody, BPR #011068
Fifth Third Center
424 Church St., Ste. 2950
Nashville, TN 37219
(615) 313-9911

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was sent via U.S. Mail, postage prepaid, and E-mail, to the following on this 19th day of November, 2014.

Frank B. Thacher, III, Esq.
Burch Porter & Johnson, PLLC
130 North Court Avenue
Memphis, TN 38103
fthacher@bpjlaw.com

Attorneys for Plaintiffs

Malcolm B. Futhey, III, Esq. - BPR# 24432
THE FUTHEY LAW FIRM, PLC
1440 Poplar Avenue
Memphis, TN 38104
malcolm@futheyfirm.com

Attorneys for Plaintiffs

/s/ Charles E. Moody
Charles E. Moody